

UNITED STATES DISTRICT COURT
for the
EASTERN DISTRICT OF NORTH CAROLINA

U.S.A. vs. Willie Joe Cole

Docket No. 5:19-CR-136-1FL

Petition for Action on Supervised Release

COMES NOW Keith W. Lawrence, Senior U.S. Probation Officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Willie Joe Cole, who, upon an earlier plea of guilty to Robbery of a Controlled Substance From a Pharmacy, in violation of 18 U.S.C. §§ 2118(a) and 2, was sentenced in the Middle District of North Carolina by the Honorable Thomas D. Schroeder, U.S. District Judge, on August 14, 2013, to the custody of the Bureau of Prisons for a term of 78 months. It was further ordered that upon release from imprisonment, the defendant be placed on supervised release for a period of 36 months. Willie Joe Cole was released from custody on February 20, 2019, at which time the term of supervised release commenced. On March 19, 2019, the court modified the conditions of supervised release to include the defendant obtain a psycho-sexual evaluation. On April 2, 2019, the jurisdiction in this case was transferred from the Middle District of North Carolina to the Eastern District of North Carolina. On April 4, 2019, due to the defendant testing positive for marijuana, the court modified the conditions of supervised release to include 60 days of curfew. On May 10, 2019, the court modified the conditions of supervised release to include specific sex offender conditions as recommended from the psycho-sexual evaluation. On June 5, 2019, due to the defendant testing positive for marijuana, the court modified the conditions of supervised release to include an additional 60 days of curfew.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS: On June 24, 2019, the defendant submitted a urine specimen which tested positive for marijuana and methamphetamine. When confronted with the results, the defendant signed an admission of drug use. As a sanction for this conduct and to deter future drug use, we would respectfully recommend that his supervision be modified to include an additional 60 days of curfew with GPS monitoring. Furthermore, we would request that the remaining term of Radio Frequency monitoring be switched to GPS technology. The defendant signed a Waiver of Hearing agreeing to the proposed modifications of supervision.

Additionally, on June 28, 2019, the defendant was charged with the offenses of Operate a Motor Vehicle on a Street or Highway Without Having Registered the Vehicle With the Division of Motor Vehicles (19CR 705990), Operate a Vehicle With No Insurance, Fictitious Title/Registration Card/Tag (19CR 705991), Exceeding Safe Speed, and Driving While Licensed Revoked (19CR 705992), in Harnett County, North Carolina. The defendant and his girlfriend were involved in a single vehicle accident. The defendant denies operating the vehicle and the girlfriend is now admitting to operating the vehicle. As no law enforcement was present for the accident, we would respectfully request that these traffic violations wait to be addressed until adjudication in state court. If the defendant is convicted of these offenses, the court will be notified and an appropriate course of action will be recommended.

PRAYING THAT THE COURT WILL ORDER that supervised release be modified as follows:

1. The defendant shall adhere to a curfew as directed by the probation officer for an additional 60 consecutive days. The defendant is restricted to their residence during the curfew hours. The defendant shall submit to the following Location Monitoring: GPS monitoring and abide by all program requirements, instructions and procedures provided by the supervising officer.
2. The remaining current term of Radio Frequency monitoring is switched to GPS monitoring.

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Except as herein modified, the judgment shall remain in full force and effect.

Reviewed and approved,

I declare under penalty of perjury that the foregoing is true and correct.

/s/ Eddie J. Smith
Eddie J. Smith
Supervising U.S. Probation Officer

/s/ Keith W. Lawrence
Keith W. Lawrence
Senior U.S. Probation Officer
150 Rowan Street, Suite 110
Fayetteville, NC 28301
Phone: 910-354-2538
Executed On: July 16, 2019

ORDER OF THE COURT

Considered and ordered this 18th day of July, 2019, and ordered filed and made a part of the records in the above case.



Louise W. Flanagan
U.S. District Judge